

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re	:	Chapter 7
	:	
JAMUNA REAL ESTATE, LLC	:	Bankruptcy No. 04-37130
UNITED MANAGEMENT SERVICES, INC.	:	Bankruptcy NO. 04-37132
BAGGA ENTERPRISES, INC.	:	Bankruptcy No. 04-37136
Debtor(s)	:	
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MARVIN KRASNY, IN HIS CAPACITY AS	:	
CHAPTER 7 TRUSTEE OF UNITED	:	
MANAGEMENT SERVICES, INC.;	:	
MARVIN KRASNY, IN HIS CAPACITY AS	:	
CHAPTER 7 TRUSTEE OF JAMUNA REAL	:	
ESTATE LLC; GARY SEITZ, IN HIS	:	
CAPACITY AS CHAPTER 7 TRUSTEE OF	:	
BAGGA ENTERPRISES, INC. AND FL	:	
RECEIVABLES TRUST 2002-A	:	
Plaintiffs	:	
v.	:	
PRATPAL BAGGA; KHUSHVINDER BAGGA;	:	
RAVINDER CHAWLA; HARDEEP CHAWLA;	:	
WELCOME GROUP, INC.; K&P REAL	:	
ESTATE LLC; WORLD APPAREL PRODUCTS,	:	
INC. D/B/A/ SJM TRADING COMPANY,	:	
D/B/A TEN TIGERS; AMERICAN	:	
MERCHANDISE CO., INC., A/K/A	:	
AMERICAN MERCHANDISING CO., INC.;	:	
21 ST CENTURY RESTAURANT SOLUTIONS,	:	
INC.; BRAND TRADE, INC.; H.B.	:	
PROPERTIES, INC.; H.B. PROPERTIES	:	Advs. No. 06-128
LLP; SANT PROPERTIES; JOHN AND	:	Advs. No. 06-129
JANE DOES AND ABC COMPANIES	:	Advs. No. 06-130
Defendants	:	

ORDER

AND NOW, upon consideration of *Plaintiffs' Motion for Reconsideration of the Order of the Order of the Court Granting the Chawla Defendants' Motion for Partial Summary Judgment and for Leave to File an Amended Complaint*, the Answer in opposition thereto, and after

hearing thereon April 22, 2008, it is hereby:

ORDERED, that for the reasons set forth in the attached Opinion, the Plaintiffs' Motion for Reconsideration shall be and hereby is denied; and it is further:

ORDERED, that for the reasons set forth in the attached Opinion, the Plaintiffs' Motion for Leave to Amend will be granted only in part, and as follows:

Counts I and II (RICO and Conspiracy):

The Trust's request for leave to amend the Complaint to replead the claims which were dismissed by the Court's February 6, 2008 ruling is denied; the Trust's RICO claims are limited to harm alleged to have been *directly* suffered by it. The Bankruptcy Trustees' request for leave to amend to plead RICO and RICO Conspiracy claims is denied;

Count IV (Fraudulent Transfer): Leave will be granted to amend the Complaint as proposed.

Count IX (Fraud, Conspiracy to Commit Fraud): Leave to amend the Fraud Count will be denied; however, leave will be granted to plead a cause of action for conspiracy to commit fraud as to Pratpal Bagga and Ravinder Chawla.

Counts X and XV (Alter Ego): Leave to amend these Counts will be denied.

Counts XI and XIII (Breach of Fiduciary Duty): Leave to amend these Counts will be denied.

The Plaintiffs' **request for clarification** is denied.

By the Court:



Stephen Raslavich
Chief U.S. Bankruptcy Judge

Dated: July 22, 2008

Interested Parties:

George Conway, Esquire
Office Of The U.S. Trustee
833 Chestnut Street
Suite 500
Philadelphia PA 19106

Counsel for Plaintiffs

Lawrence J. Tabas, Esquire
OBERMAYER REBMAN MAXWELL & HIPPEL LLP
One Penn Center, 19th Fl.
1617 JFK Blvd
Philadelphia, PA 19103

Patrick Fitzmaurice, Esquire
Christopher F. Graham, Esquire
THATCHER PROFFIT & WOOD LLP
50 Main Street
White Plains, NY 10606

Counsel for Defendants

Richard M. Simins, Esquire
Paul C. Madden, Esquire
Jeffery M. Carbino, Esquire
BUCHANAN INGERSOLL & ROONEY PC
1835 Market Street, 14th Fl
Philadelphia, PA 19103-2985

Andrew Teitelman, Esquire
380 Red Lion Road, Ste 202
Huntingdon Valley, PA 19006

Nancy Mulvehill, Courtroom Deputy to Judge Raslavich